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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No.

First Inventor or Application Identifier

Oran, Daniel P.

Title

Method and Apparatus for Facilitating and Tracking

Express Mail Label No.

EJ374149515US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ * Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Specification [Total Pages (preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets - 4. Oath or Declaration [Total Pages - a. ☒ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 C.F.R. § 1.63(d))
(for continuation/divisional with Box 16 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).

* NOTE FOR ITEMS 1 & 13: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

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5. ☐ Microfiche Computer Program (Appendix)
6. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Copy
 - b. ☐ Paper Copy (identical to computer copy)
 - c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet & document(s))
8. ☐ 37 C.F.R. § 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
9. ☐ English Translation Document (if applicable)
10. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
11. ☐ Preliminary Amendment
12. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
13. ☒ * Small Entity Statement(s) ☐ Statement filed in prior application, Status still proper and desired
(PTO/SB/09-12)
14. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
15. ☒ Other: Disclosure Document Reference Letter

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: _____/_____

Prior application information: Examiner _____ Group / Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

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or ☐ Correspondence address below

Name	Daniel P. Oran				
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Country	USA	Telephone	617 225-2010	Fax	

Name (Print/Type)	Daniel P. Oran	Registration No. (Attorney/Agent)	
Signature	<i>Daniel P. Oran</i>	Date	Nov 15, 1999

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11/15/99

**STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(b))--INDEPENDENT INVENTOR**

Docket Number (Optional)

Applicant, Patentee, or Identifier: Oran, Daniel P.

Application or Patent No.: _____

Filed or Issued: _____

Title: Method and Apparatus for Facilitating and Tracking
Personal Referrals

As a below named inventor, I hereby state that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office described in:

- ☒ the specification filed herewith with title as listed above.
☐ the application identified above.
☐ the patent identified above.

I have not assigned, granted, conveyed, or licensed, and am under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ No such person, concern, or organization exists.
☐ Each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern, or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

Daniel P. Oran

NAME OF INVENTOR

NAME OF INVENTOR

NAME OF INVENTOR

Daniel P. Oran
Signature of inventor

Signature of inventor

Signature of inventor

Nov. 15, 1999
Date

Date

Date

Patent Application of
Daniel P. Oran for
Method and Apparatus for Facilitating and Tracking Personal Referrals

Field of the Invention

The present invention relates to the use of electronic networks for personal referrals.

Background of the Invention

Word of mouth is a crucial factor in the success of many ventures, including the promotion of books, the sale of real estate, and the identification of job candidates. An appealing product or an interesting opportunity appears, and one person tells another, who tells another, who tells another. Such a series of personal referrals can quickly disseminate news about a product or an opportunity to a wide audience.

The Internet makes it possible for such personal referrals to reach a significantly wider audience. Unlike other communication media, the Internet presents no physical or financial barriers to personal referrals across vast distances. For example, the cost of sending electronic mail from New York to Boston is the same as the cost of sending electronic mail from New York to Tokyo. In contrast, sending postal mail or making a telephone call across the Pacific is significantly more expensive than doing so within the United States. And a face-to-face personal referral from New York to Tokyo obviously requires the purchase of a costly airplane ticket.

Although personal referrals via the Internet reach a wider audience than those made via other communication media, there are at least six fundamental limitations on the effectiveness of such referrals as a marketing method: (1) as a referral reaches each additional person, the continuation of the series depends on that person taking the initiative to contact someone else; (2) even if the series of referrals continues unabated, the marketer has no reliable means of identifying individuals who often make an above average number of referrals, or whose referrals often lead to successful outcomes for the marketer; (3) there is the possibility that an individual will receive the same referral from multiple parties, causing annoyance and ill will; (4) there is no way to control the manner in which each additional person in the series is contacted, i.e., the content and tone of the referral is left entirely to the individual; (5) after an offer has been modified, there is no way to prevent further referrals regarding the original version of the offer or to ensure that the latest version of the offer is always presented; and

(6) after an offer has expired or has been withdrawn, there is no way to prevent further referrals regarding it.

Objects and Advantages

Accordingly, several objects and advantages of the present invention are:

- (a) to minimize the effort required to make a referral;
- (b) to allow the marketer to track and to analyze the pattern of referrals;
- (c) to reduce the chance that an individual will receive the same referral from multiple parties;
- (d) to control the content and tone of referrals;
- (e) to prevent further referrals about an earlier version of an offer;
- (f) to ensure that the latest version of an offer is always presented; and
- (g) to prevent further referrals after an offer has expired or has been withdrawn.

Further objects and advantages of the present invention will become apparent from a consideration of the following drawings and description.

Brief Summary of the Invention

The present invention facilitates and tracks personal referrals made via electronic networks. In a preferred embodiment, using electronic mail delivered to a participant interface, a central controller provides a Web page through which an individual may enter the electronic-mail addresses of those whom he or she wishes to refer. This spares the individual the inconvenience of generating his or her own electronic-mail referrals, and also enables the central controller to determine the format and tone of the referral. The address or contents of the Web page includes a unique identifier that is exclusively associated with that individual and a specific offer. In this way, the series of referrals may be tracked, duplicate referrals to the same electronic-mail address may be eliminated, offers may be withdrawn or modified, and referrals about an expired or withdrawn offer may be prevented.

Brief Description of the Drawings

FIG. 1 illustrates one embodiment of the present invention.

FIG. 2 is a block diagram showing one embodiment of the central controller.

FIG. 3 is a block diagram showing one embodiment of the participant interface.

FIG. 4 is a flow chart illustrating one embodiment of the central controller.

FIG. 5 is a flow chart illustrating one embodiment of the participant interface.

Detailed Description of the Invention

FIGS. 1 through 3 illustrate the system architecture of one embodiment of the present invention. As shown in FIG. 1, the apparatus of the present invention comprises a central controller 100 and a participant interface 110. Via electronic mail, an offer 120 is transmitted from the central controller 100 to the participant interface 110. By interacting with a Web page delivered in the electronic mail or by visiting a Web page referenced by a hyperlink included in the electronic mail, the user of the participant interface may indicate his or her acceptance 130 of the offer 120 and/or make a referral 140 of other possible recipients of the offer 120. Alternatively, the user may choose to opt out 150, indicating he or she prefers not to receive (1) any further offers 120, (2) any further offers 120 in this particular category of items, or (3) any further offers 120 that are due to a referral 140 from a specific individual.

For the sake of clarity, just one central controller 100 is depicted in the FIG. 1, but those skilled in the art will appreciate that many such devices may be included in an embodiment of the present invention in order to simultaneously process a large number of transactions. Similarly, although just one participant interface 110 is depicted in FIG. 1, an unlimited number of such devices may be connected to the central controller 100 via a network, an example of which is the Internet.

FIG. 2 is a block diagram of a computer system that is capable of serving as central controller 100. This system includes a network connection 200, a processor 210, memory 220, and one or more storage devices 270. Stored in memory 220 are software programs for (1) sending and receiving electronic mail (mail server 230), (2) creating and sending requested Web pages (Web server 240), (3) managing the flow of information into and out of databases (database management software, or DBMS 250), and (4) directing the overall activities of the central controller (control program 260). Storage devices 270 contain (1) a listings database 280, which includes items about which offers are tendered, (2) a participants database 290, which includes individuals to whom offers are tendered, and (3) an offers database 295, which records the offers made to participants about specific listings. Those skilled in the art will recognize that the central controller 100 may be implemented on any computer system capable of carrying out the central controller's required functions. In addition, those skilled in the art will appreciate that the information stored in the listings database 280, participants database 290, and offers database 295 may be stored in a lesser or greater number of databases. Similarly, those skilled in

the art will appreciate that a lesser or greater number of software programs may be employed to carry out the functions of the mail server 230, Web server 240, DBMS 250, and control program 260.

FIG. 3 is a block diagram of a computer system that is capable of serving as the participant interface 110. The system includes one or more storage devices 300, a processor 310, a display 320, a pointing device 330, a keyboard 340, memory 350, and a network connection 380. Stored in memory 350 are software programs for (1) requesting and displaying Web pages (Web browser 360) and (2) sending and receiving electronic mail (mail client 370). Those skilled in the art will recognize that the participant interface 110 may be implemented on any computer system capable of carrying out the participant interface's functions.

FIGS. 4 and 5 illustrate the steps performed by embodiments of the central controller 100 and the participant interface 110 in the present invention. As depicted in FIG. 4, at step 400, the central controller 100 begins by selecting an item from the listings database 280. For example, the item might be a job description or a house for sale. At step 410, the central controller 100 selects an individual from the participants database 290. At step 420, central controller 100 examines the individual's record in the participants database 290. If the individual has previously received an offer 120 regarding this item or opted out, the central controller 100 ends the process at step 425. Otherwise, the central controller 100 continues to step 430, in which it updates the record in the participants database 290 to reflect the selection of the individual for this offer. It also creates a new record in the offers database 295, containing the item, the individual, and a unique identifier. For example, the unique identifier might be the individual's electronic-mail address paired with an item number, or an alphanumeric sequence, defined arbitrarily or systematically, that is assigned only to the pairing of that individual and that item.

At step 440, the central controller 100 sends electronic mail about the item to the individual at the participant interface 110. The message contains either (1) a Web page tagged with or including the unique identifier, or (2) a hyperlink to such a Web page. In interacting with the Web page at step 450, the individual may choose one, all, or none of the following responses: (1) opt-out 150, (2) acceptance 130, or (3) referral 140. For example, in the case of a job description, the individual may choose to accept the invitation to apply, and, at the same time, also refer several friends for the same job.

At step 460, if the individual chooses to opt out, the central controller 100, at step 465, updates the relevant records in the participants database 290 and the offers database 295 to reflect this choice. At step 470, if the individual choose to accept the offer 120, the central controller 100, at step

475, first determines whether the offer 120 is still valid. If the offer 120 is still valid, the central controller 120 updates the relevant records in the participants database 290 and the offers database 295 to reflect this choice, and also notifies the sponsoring party. For example, in the case of a job description, the central controller 100 might send electronic mail to the prospective employer.

At step 480, if the individual chooses to refer one or more people, the central controller 100 first determines, at step 487, whether the offer 120 is still valid. If the offer 120 is still valid, the central controller 100, at step 493, substitutes the latest version of the offer. Next, at step 495, the central controller 100 creates new records in the participants database 290 for the referred people, if they are not already included in it. For each of the referred people, the central controller then loops back to step 420, first determining whether he or she has previously received an offer 120 for this item or opted out. In the case of a previous offer 120 or opt-out 150, the central controller ends the process at step 425. Otherwise, the process continues on as described earlier, beginning with step 430.

As depicted in FIG. 5, from the perspective of the individual at the participant interface 110, the process begins at step 500, by opening electronic mail from the central controller 100. This electronic mail contains either a Web page or a hyperlink to such a Web page. If the electronic mail contains a hyperlink to a Web page, then the individual follows the hyperlink to that page at step 510. At step 520, by interacting with the Web page, the individual indicates his or her response to the offer 120, as described earlier.

While the present invention has been described in terms of specific embodiments thereof, those skilled in the art will appreciate that various changes in form and detail may be made without departing from the intended spirit and scope of the invention as defined in the following claims.

Claims

I claim:

1. A method for facilitating and tracking personal referrals, comprising:
 generating a unique identifier that is associated exclusively with the pairing of one individual
 and one offer;
 sending to said individual an electronic-mail message that provides a hyperlink to or contains
 a Web page whose address or contents includes said unique identifier or a
 transformation thereof; and
 providing in said Web page a means of inputting the electronic-mail address of persons
 whom said individual wishes to refer.
2. The method of claim 1 wherein said unique identifier or a transformation thereof is included in a
 uniform resource locator.
3. The method of claim 1, further comprising:
 determining whether said individual has previously been sent an electronic-mail message
 about said offer.
4. The method of claim 1, further comprising:
 determining whether said individual has previously opted out of receiving all such electronic-
 mail messages.
5. The method of claim 1, further comprising:
 determining whether said individual has previously opted out of receiving electronic-mail
 messages pertaining to a category of items that contains said offer.
6. The method of claim 1, further comprising:
 determining the party whose referral caused said offer to be made to said individual and
 whether said individual has previously opted out of receiving electronic-mail messages
 pertaining to offers referred by said party.

7. The method of claim 1, further comprising:
providing in said Web page a means of accepting said offer.
8. The method of claim 7, further comprising:
notifying the sponsor of said offer in case of an acceptance by said individual.
9. The method of claim 1, further comprising:
providing in said Web page a means of opting out of receiving all such electronic-mail messages.
10. The method of claim 1, further comprising:
providing in said Web page a means of opting out of receiving electronic-mail messages pertaining to one or more categories of such offers.
11. The method of claim 1, further comprising:
providing in said Web page a means of opting out of receiving electronic-mail messages pertaining to offers referred by the party whose referral caused said offer to be made to said individual.
12. The method of claim 1, further comprising:
determining whether said offer is still valid and substituting the latest version of said offer.
13. The method of claim 12, further comprising:
sending electronic-mail messages to said persons who were referred by said individual.
14. An apparatus for facilitating and tracking personal referrals, comprising:
a storage device; and
a processor connected to said storage device,
said storage device storing a program for controlling said processor; and
said processor operative with said program to:

generate a unique identifier that is associated exclusively with the pairing of one individual and one offer;

send to said individual an electronic-mail message that provides a hyperlink to or contains a Web page whose address or contents includes said unique identifier or a transformation thereof; and

provide in said Web page a means of inputting the electronic-mail address of persons whom said individual wishes to refer.

15. The apparatus of claim 14 wherein said processor is further operative with said processor to determine whether said individual has previously been sent an electronic-mail message about said offer.
16. The apparatus of claim 14 wherein said processor is further operative with said processor to determine whether said individual has previously opted out of receiving all such electronic-mail messages.
17. The apparatus of claim 14 wherein said processor is further operative with said processor to determine whether said individual has previously opted out of receiving electronic-mail messages pertaining to a category of items that contains said offer.
18. The apparatus of claim 14 wherein said processor is further operative with said processor to determine the party whose referral caused said offer to be made to said individual and whether said individual has previously opted out of receiving electronic-mail messages pertaining to offers referred by said party.
19. The apparatus of claim 14 wherein said processor is further operative with said processor to notify the sponsor of said offer in case of an acceptance by said individual.
20. The apparatus of claim 14 wherein said processor is further operative with said processor to send electronic-mail messages to said persons who were referred by said individual in the case when said offer is still valid.

Method and Apparatus for Facilitating and Tracking Personal Referrals

Abstract of the Disclosure

The present invention facilitates and tracks personal referrals made via electronic networks. In a preferred embodiment, using electronic mail delivered to a participant interface, a central controller provides a Web page through which an individual may enter the electronic-mail addresses of those whom he or she wishes to refer. This spares the individual the inconvenience of generating his or her own electronic-mail referrals, and also enables the central controller to determine the format and tone of the referral. The address or contents of the Web page includes a unique identifier that is exclusively associated with that individual and a specific offer. In this way, the series of referrals may be tracked, duplicate referrals to the same electronic-mail address may be eliminated, offers may be withdrawn or modified, and referrals about an expired or withdrawn offer may be prevented.

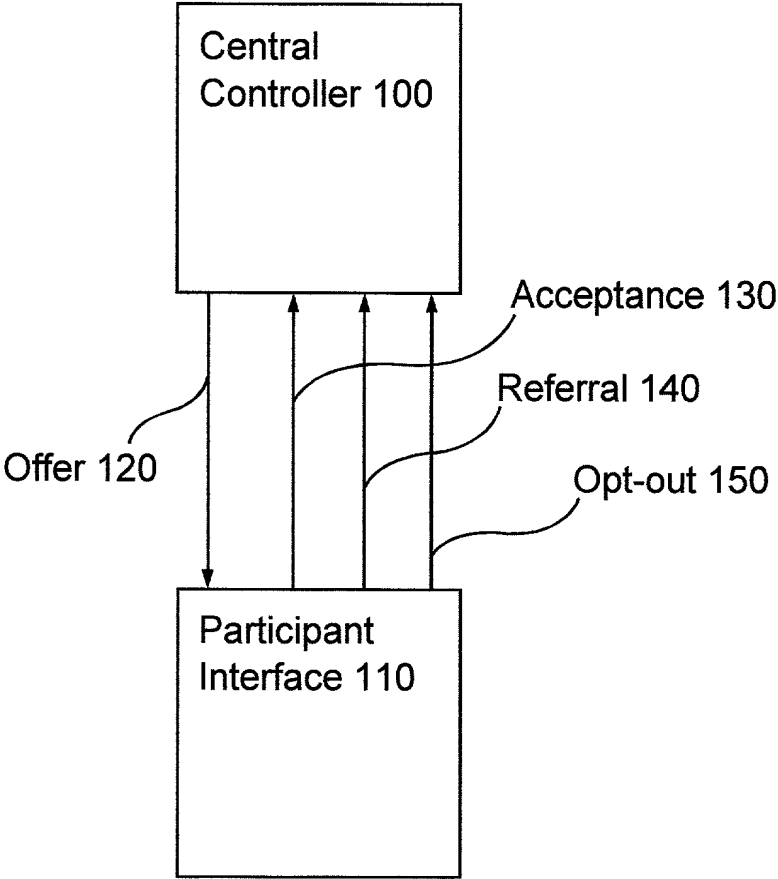


FIG. 1

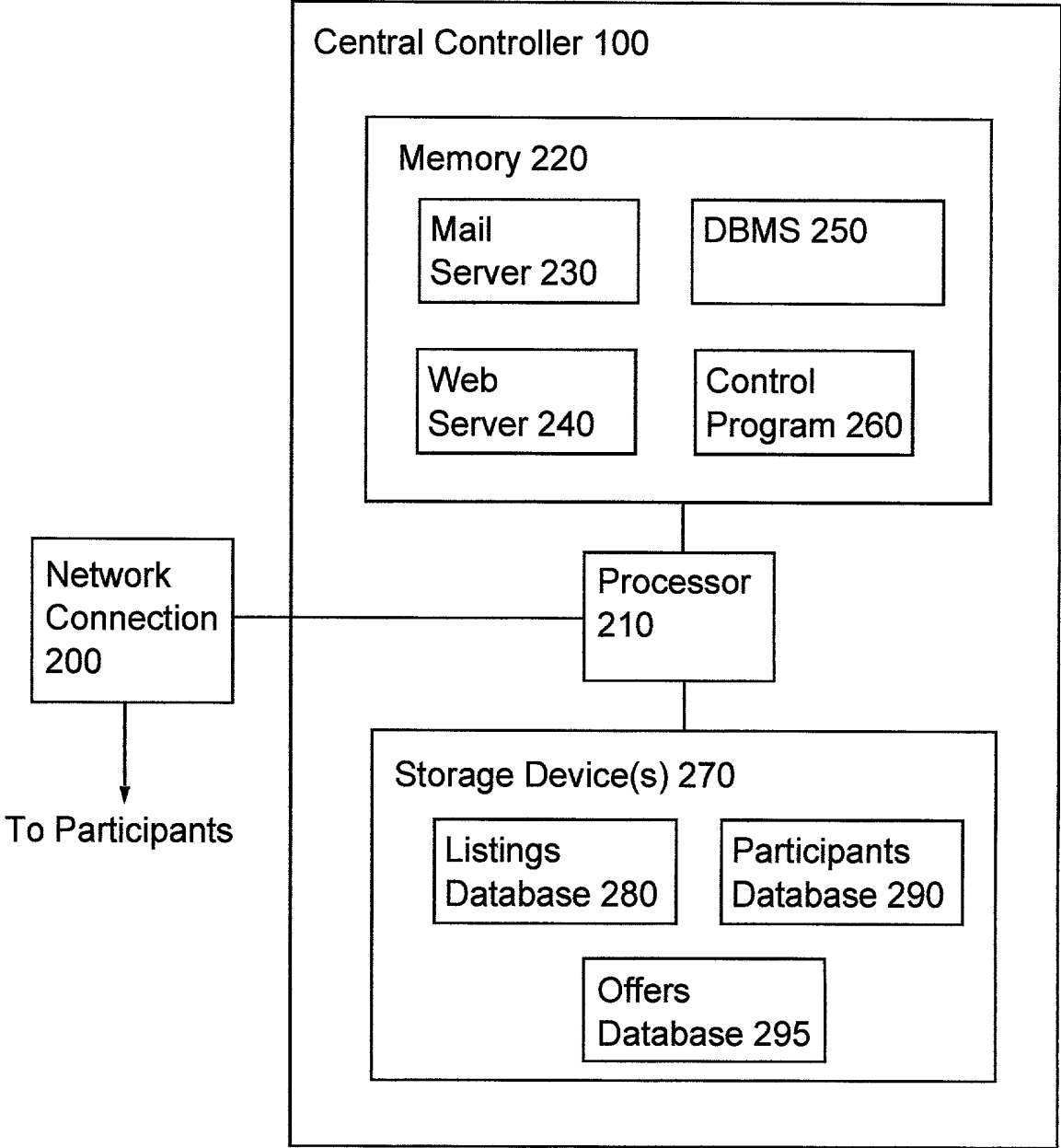


FIG. 2

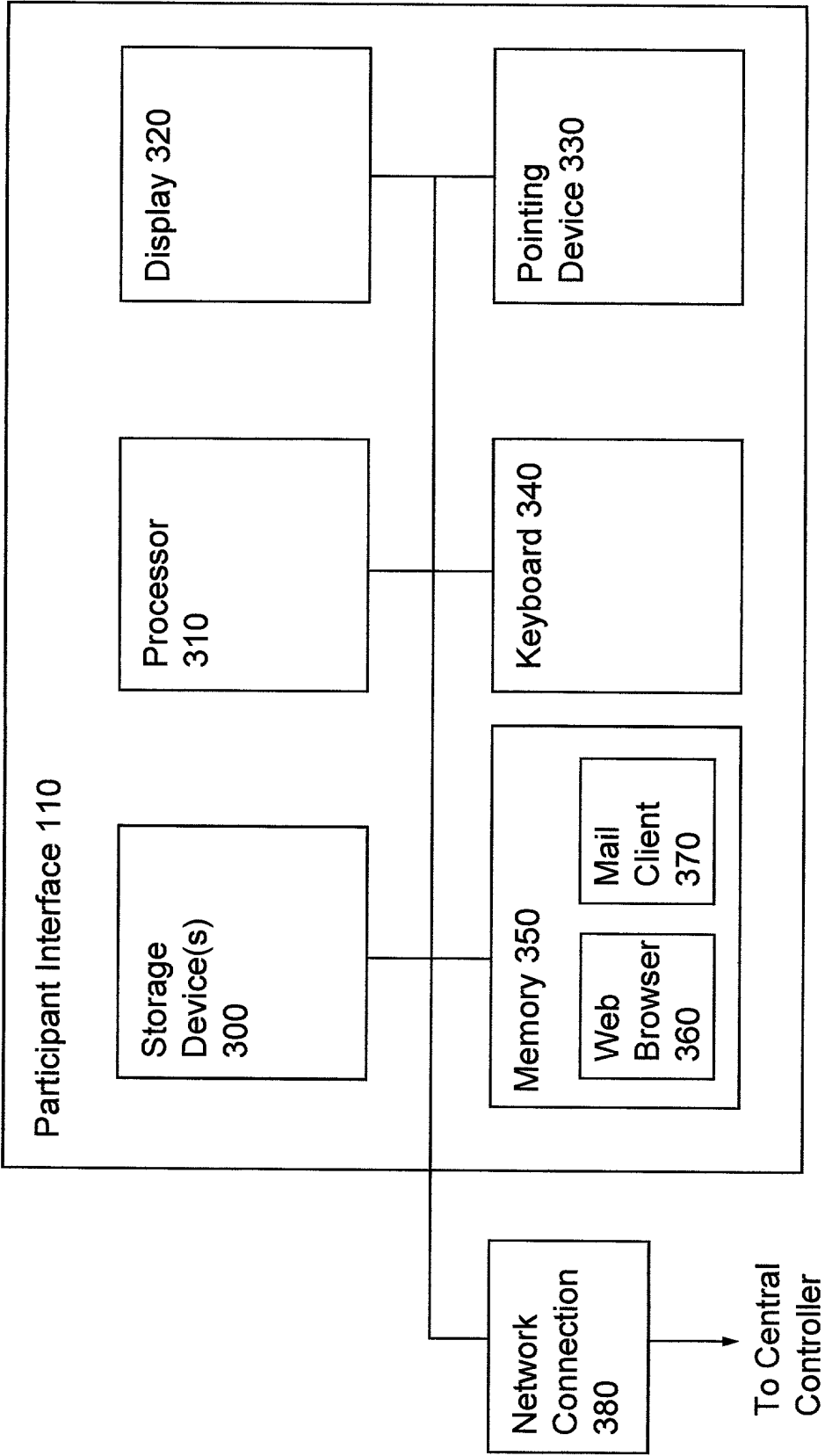


FIG. 3

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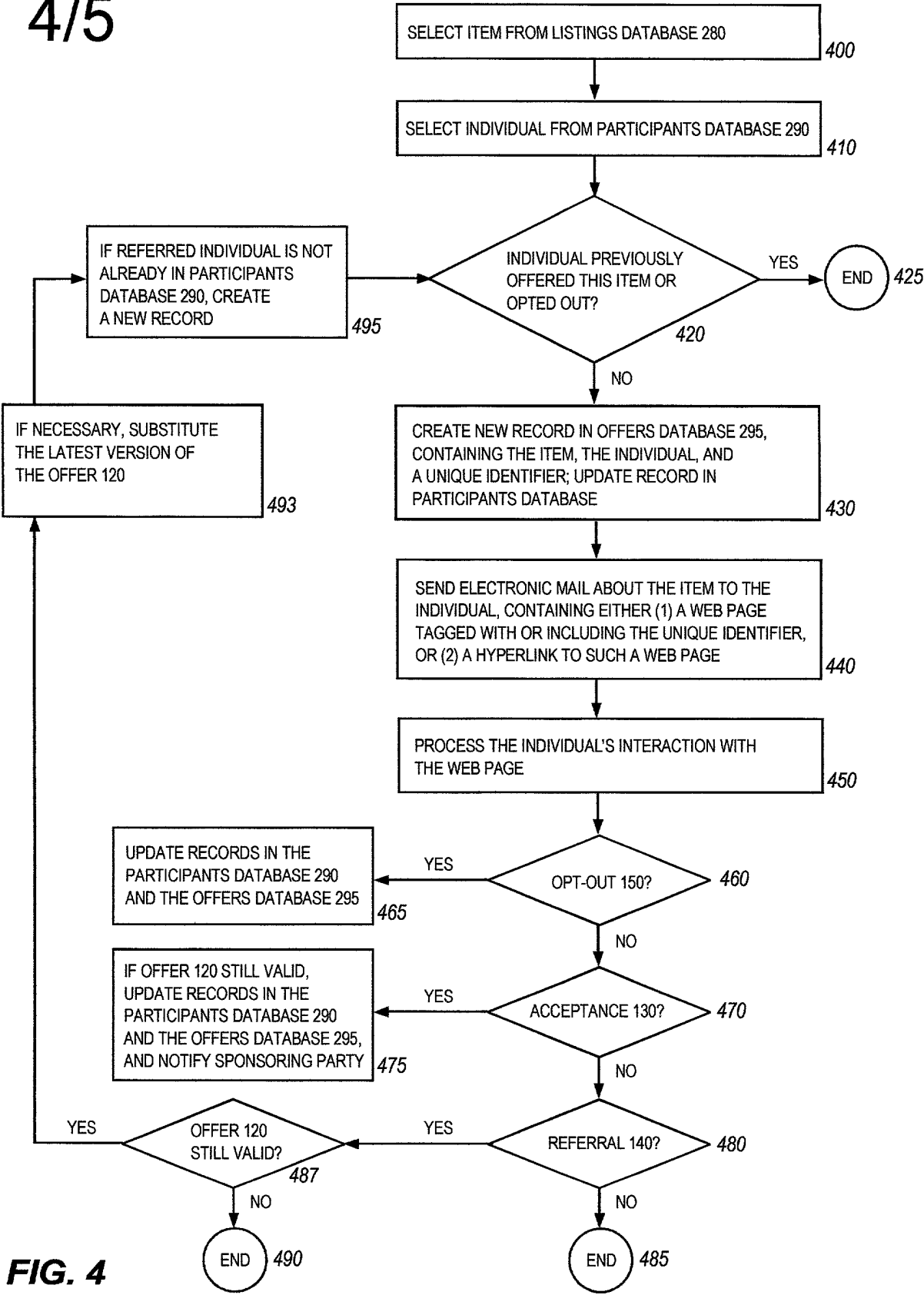


FIG. 4

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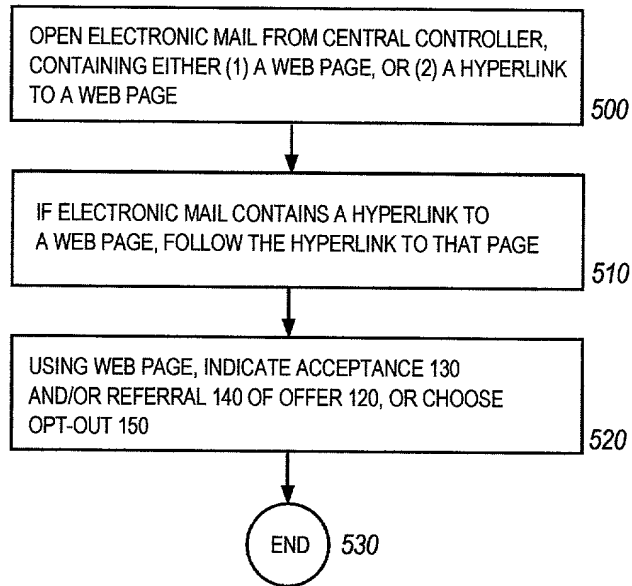


FIG. 5

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DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)	Attorney Docket Number	
	First Named Inventor	Oran, Daniel P.
	COMPLETE IF KNOWN	
	Application Number	/
	Filing Date	
	Group Art Unit	
<input checked="" type="checkbox"/> Declaration Submitted with Initial Filing OR <input type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)	Examiner Name	

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Method and Apparatus for Facilitating and Tracking Personal Referrals

the specification of which (Title of the Invention)

☒ is attached hereto
OR
☐ was filed on (MM/DD/YYYY) as United States Application Number or PCT International Application Number and was amended on (MM/DD/YYYY) (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)

☐ Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

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DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

☐ Customer Number

OR

☐ Registered practitioner(s) name/registration number listed below

Place Customer
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Name	Registration Number	Name	Registration Number

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: ☐ Customer Number or Bar Code Label

OR ☒ Correspondence address below

Name	Daniel P. Oran				
Address	129 Franklin Street, Apt. 406				
Address					
City	Cambridge	State	MA	ZIP	02139-4165
Country	USA	Telephone	617 225-2010	Fax	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle if any)		Family Name or Surname					
Daniel P.		Oran					
Inventor's Signature	<i>Daniel P. Oran</i>		Date	11/15/99			
Residence: City	Cambridge	State	MA	Country	USA	Citizenship	USA
Post Office Address	129 Franklin Street, Apt. 406						
Post Office Address							
City	Cambridge	State	MA	ZIP	02139	Country	USA

☐ Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto

In the United States Patent and Trademark Office

Serial Number:

Appn. Filed:

Applicant: Daniel P. Oran

Appn. Title: Method and Apparatus for Tracking and Facilitating Personal Referrals

Examiner/GAU:

Disclosure Document Reference Letter

November 15, 1999

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir or Madam:

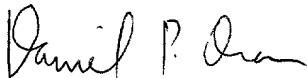
I have previously filed the disclosure document identified below. The disclosure relates to the above patent application, so I request that the disclosure document be retained and referenced to the above patent application.

Disclosure Document Title: Method and System for Facilitating and Tracking Personal Referrals
Through Hyperlinks Included in Electronic Mail

Disclosure Document Number: **452837**

Disclosure Document Filing Date: March 11, 1999

Sincerely,



Daniel P. Oran
129 Franklin Street, Apt. 406
Cambridge, MA 02139-4165